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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE DISTRICT OF ARIZONA
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8 William Mark Isbell,)
9 Plaintiff,)
10 v.) CIV 04-2242 PHX JAT (VAM)
11 Justin Hughes, et al.,) O R D E R
12 Defendants.)

13 On February 6, 2006, plaintiff filed a "Motion to Suppress
14 Deposition Transcripts." (Doc. 63). In the Motion, plaintiff
15 complains that the depositions were not properly noticed, his 13-
16 year old son's deposition should not be used as the child's mother
17 was not allowed to be present and he was not allowed to read and
18 sign his deposition. He asks the Court to order that plaintiff's
19 deposition, his son's deposition and the deposition of Jodie
20 Holmes may not be used by defendants in this action. Defendants
21 have responded rebutting all plaintiff's objections except
22 plaintiff's arguments regarding reading and signing his own
23 deposition. (Docs. 65, 67).

24 Plaintiff's arguments regarding the notices and the way the
25 depositions were conducted have been waived, have no merit and
26 plaintiff has suffered no prejudice. However, defendants have not
27 addressed plaintiff's right to read and sign his deposition. It
28 appears from the exhibits to plaintiff's motion that Rule 30(e),

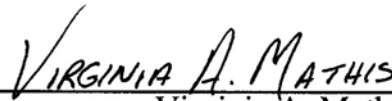
1 F.R.Civ.P. procedures have not occurred. Until plaintiff has a
2 realistic opportunity to read and sign his deposition, his
3 objections are well taken.

4 On February 17, 2006, plaintiff filed a request for status on
5 his motion for order to possess and use a personal typewriter.
6 Plaintiff is informed this motion is pending before the District
7 Court Judge and will be ruled on in due course.

8 **IT IS THEREFORE ORDERED** granting in part and denying in part
9 plaintiff's Motion to Suppress Deposition Transcripts as set forth
10 above. (Doc. 63). Defendants shall assure compliance with Rule
11 30(e), F.R.Civ.P., regarding plaintiff's deposition.

12 **IT IS FURTHER ORDERED** granting, as set forth above,
13 plaintiff's request for status. (Doc. 68).

14 DATED this 6th day of March, 2006.

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18 Virginia A. Mathis
19 United States Magistrate Judge
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